

EXHIBIT "1"

5900 39498

VARHLEY ASSOCIATES (732) 246-4334

Pitchford - 12/17/2008

<p>SHEET 8 PAGE 29</p> <p>S. Pitchford - direct - Mr. Connell 29</p> <p>1 just a transfer of myself into another unit. There</p> <p>2 are often office transfers, so that gives everyone</p> <p>3 an opportunity who is being transferred to clear out</p> <p>4 the files they have to the best of their ability and</p> <p>5 then to become introduced to the new caseload.</p> <p>6 Q Okay. Is it fair to say then that you</p> <p>7 would have maintained control of this file until</p> <p>8 Labor Day, 'til September when the transfer comes</p> <p>9 through?</p> <p>10 A That would be fair to say.</p> <p>11 Q Okay. And did you have any further</p> <p>12 involvement with this case in the summer?</p> <p>13 A Yes, I did.</p> <p>14 Q What was that?</p> <p>15 A I believe it was July 14th. There was a</p> <p>16 status conference before Judge Gelade, and Defense</p> <p>17 Counsel at that time --</p> <p>18 Q Do you know which one it was?</p> <p>19 A Ms. Reed.</p> <p>20 Q Okay. Go ahead. What happened?</p> <p>21 A She indicated that the State had not been</p> <p>22 compliant with the discovery request, and I --</p> <p>23 Q And your response?</p> <p>24 A I placed on the record that I had been</p> <p>25 compliant with all requests, and had indicated the</p>	<p>PAGE 31</p> <p>S. Pitchford - direct - Mr. Connell 31</p> <p>1 but I know what I would have done with that</p> <p>2 information.</p> <p>3 Q Which is what?</p> <p>4 A If there were names or addresses, I would</p> <p>5 have also asked for birth dates and social security</p> <p>6 numbers to give that information to my investigator,</p> <p>7 who would have made efforts to interview those</p> <p>8 people.</p> <p>9 Q Okay. And even after the reprimand</p> <p>10 that was given by Judge Gelade to Defense Counsel,</p> <p>11 were those names turned over to you?</p> <p>12 A No, they were not.</p> <p>13 Q Is it fair to say that without names -</p> <p>14 forget about addresses, DOBs and social security</p> <p>15 numbers - you couldn't do any investigation?</p> <p>16 A That's correct.</p> <p>17 Q Was the defense ordered at that time to</p> <p>18 turn over the names by the judge?</p> <p>19 A I don't remember what the judge asked, but I</p> <p>20 believe that the judge directed any information --</p> <p>21 I'm not sure it was an order, but the judge</p> <p>22 indicated if Defense Counsel has information to turn</p> <p>23 over to the State, that it should be done.</p> <p>24 Q Okay. Did you at any point have any</p> <p>25 further involvement in this case?</p>
<p>PAGE 30</p> <p>S. Pitchford - direct - Mr. Connell 30</p> <p>1 things that I turned over that were in my possession</p> <p>2 or that I was aware of. And Defense made mention of</p> <p>3 some witnesses, and I had no idea who those</p> <p>4 witnesses were. She said she had information, and I</p> <p>5 indicated that if there was information, then as a</p> <p>6 part of reciprocal discovery, I should receive that</p> <p>7 information.</p> <p>8 Q This was all on the record?</p> <p>9 A Yes, it was, and it got quite heated.</p> <p>10 Q Okay. And what did Judge Gelade do</p> <p>11 about that?</p> <p>12 A At the time, he made a verbal reprimand of</p> <p>13 Ms. Reed saying that the State was always compliant,</p> <p>14 especially this Assistant Prosecutor in particular,</p> <p>15 because I had been cordial, friendly, and tried to</p> <p>16 turn over everything as soon as I received it.</p> <p>17 Q And was there any mention -- obviously,</p> <p>18 you had mentioned something to the effect that it</p> <p>19 was the first time you're hearing about two</p> <p>20 witnesses and this is now in July of '05, and that</p> <p>21 she, meaning Ms. Reed, the defense, has the</p> <p>22 obligation under reciprocal discovery to provide you</p> <p>23 with information. Did you indicate what you would</p> <p>24 do with the information if she gave it to you?</p> <p>25 A I'm not sure if I placed it on the record,</p>	<p>PAGE 32</p> <p>S. Pitchford - direct - Mr. Connell 32</p> <p>1 A Yes, I did.</p> <p>2 Q What was that?</p> <p>3 A August 4th, there was another status</p> <p>4 conference before Judge Gelade.</p> <p>5 Q And what happened at that conference?</p> <p>6 A Mr. Kobin was present. I don't remember if</p> <p>7 it was Mr. Kobin and Ms. Reed or just Mr. Kobin, but</p> <p>8 at that time there was mention of one of the defense</p> <p>9 witnesses knowing at least one of the two women that</p> <p>10 were allegedly present during the October 1st</p> <p>11 incident.</p> <p>12 And my response was if a defense witness knew</p> <p>13 one of the individuals, then they should have the</p> <p>14 information, and that should be turned over to the</p> <p>15 State.</p> <p>16 And still at that time I did not have the</p> <p>17 names and did not know who these individuals were.</p> <p>18 Q So in spite of the comments made in</p> <p>19 July, in August you were in the same position: You</p> <p>20 didn't know the name of anybody that the defense was</p> <p>21 possessing?</p> <p>22 A That's correct.</p> <p>23 Q And you didn't even know the name of</p> <p>24 their alleged witness that knew this person?</p> <p>25 A No, I did not.</p>